IN THE HIGH COURT OF JUDICATURE FOR RAJASTHAN
BENCH AT JAIPUR
S.B. CIVIL WRIT PETITION NO.4634/06
Sandeep Choudhary Vs. State of Raj. & Ors.

Date of order : 28/11/2007.

HON'BLE MR.JUSTICE MOHAMMAD RAFIQ

Shri Satish Khandelwal for the petitioner.

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This writ petition has been filed by the petitioner with the grievance that he being permit holder in the route of Googalkota to Rewari ought to have been allowed the permission to ply the vehicle at least for one service. It was argued that in the scope of agreement between State of Rajasthan and Haryana 20 single service have been prescribed. Learned Member, RTA has wrongly declined to grant permission to the petitioner to ply vehicle on the

analogy of first come first serve whereas such a principle has already been discarded by the State Transport Appellate Tribunal, Jaipur (for short-`STAT') in a similar appeal No.164/01, Ramavtar Vs. RTA, Alwar & Ors. decided on 3.2.2007. Learned counsel for the petitioner argued that he has filed writ petition directly before this Court because the Presiding Officer was not posted in STAT. Now recently the new Presiding Officer has joined and therefore he may be permitted to withdraw the writ petition with liberty to approach STAT as the revision before STAT was not being considered on merits because of the availability of any Presiding Officer.

The writ petition is disposed of as withdrawn. The learned STAT shall be

free to consider and decide the revision of the petitioner as expeditiously as possible.

(MOHAMMAD RAFIQ), J.

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